

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HORWITZ, David A.

Serial No.: To Be Assigned

Filing Date: August 27, 2003

For: *USE OF CYTOKINES AND
MITOGENS TO INHIBIT
PATHOLOGICAL IMMUNE
RESPONSES*

Examiner: To Be Assigned

Art Unit: 1654

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DATE OF DEPOSIT August 27, 2003

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Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying substitute PTO/SB/8A-B, substitute for form PTO-1449. Since copies of these references were provided either by Applicants or the Examiner in the following related U.S. Applications – Serial No. 10/028,944, filed December 21, 2001 (pending) – upon which the instant application relies for its priority date, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

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None of the foregoing references is believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

This Information Disclosure Statement is being filed concurrently with the filing of a national application and therefore no fee is required. Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: 8/27/03
Dorsey & Whitney LLP
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Form PTO/SB/8A-B, Substitute for form PTO 1449

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				First Named Inventor	HORWITZ, David A.	
				Group Art Unit		
Examiner Name						
Attorney Docket Number	A-67279-8/RFT/RMS/RMK (469443-63)					
Sheet	1	of	8			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	6,447,765 B1	09-2002	Horwitz	
	A2	6,406,696 B1	06-2002	Bluestone	
	A3	6,358,506 B1	03-2002	Horwitz	
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	B1	WO 93/17698 A1	09-1993	Schering Corp.		
	B2	WO 97/42324 A1	11-1997	Schering Corp.		
	B3	WO 99/25366 A1	05-1999	Horwitz		
	B4	WO 99/48524 A1	09-1999	Horwitz		
	B5	WO 00/66158 A3	11-2000	Horwitz		
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	C1	ANASETTI et al., "Treatment of acute graft-versus-host disease with a nonmitogenic anti-CD3 monoclonal antibody", Transplantation 54:844-851 (1992)				
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Sheet	3	of	8		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
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				Application Number	To Be Assigned
				Filing Date	Herewith
				First Named Inventor	HORWITZ, David A.
				Group Art Unit	
				Examiner Name	
Sheet	6	of	8	Attorney Docket Number	A-67279-8/RFT/RMS/RMK (469443-63)

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	C78	PAPIERNIK M, et al., "T cell deletion induced by chronic infection with mouse mammary tumor virus spares a CD25-positive, IL-10-producing T cell population with infectious capacity." J Immunol. 1997 May 15;158(10):4642-53.			
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	C88	READ S, et al., "Cytotoxic T lymphocyte-associated antigen 4 plays an essential role in the function of CD25(+)CD4(+) regulatory cells that control intestinal inflammation." J Exp Med. 2000 Jul 17;192(2):295-302.			
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	C92	ROSER, B.J., "Cellular mechanisms in neonatal and adult tolerance," Immunol Rev. 1989 Feb;107:179-202.			
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	C95	SEDDON, B. and MASON, D., "The third function of the thymus," Immunol Today. 2000 Feb;21(2):95-9.		
	C96	SHEVACH, E.M., "Regulatory T cells in autoimmunity," Annu Rev Immunol. 2000;18:423-49.		
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	C103	STRAND, V., "Approaches to the management of systemic lupus erythematosus," Current Opinion in Rheumatology, 9:410-420 (1997)		
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	C106	SURI-PAYER E, et al., "Post-thymectomy autoimmune gastritis: fine specificity and pathogenicity of anti-H/K ATPase-reactive T cells." Eur J Immunol. 1999 Feb;29(2):669-77.		
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	C109	TAKAHASHI T, et al., "Human CD8+ lymphocytes stimulated in the absence of CD4+ cells enhance IgG production by antibody-secreting B cells." Clin Immunol Immunopathol. 1991 Mar;58(3):352-65.		
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	C111	TAYLOR, "Antigen specific suppressor T cells respond to cytokines released by T cells", Advances Exp Med Biol 319:125-135 (1992)		
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	C113	THORNTON AM and SHEVACH EM. "Suppressor effector function of CD4+CD25+ immunoregulatory T cells is antigen nonspecific." J Immunol. 2000 Jan 1;164(1):183-90.			
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	C118	VIA et al., "Critical Role of interleukin-2 in the development of acute graft-versus-host disease", International Immunol 5:565-572 (1993)			
	C119	WAHL SM. "Transforming growth factor beta: the good, the bad, and the ugly." J Exp Med. 1994 Nov 1;180(5):1587-90.			
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	C126	ZHENG, X.X., et al., "Administration of noncytolytic IL-10/Fc in murine models of lipopolysaccharide-induced septic shock and allogeneic islet transplantation," J Immunol. 1995 May 15;154(10):5590-600.			

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